

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 3691
)
FLOCKHART et al.) Confirmation No.: 2566
)
Serial No.: 10/673,105) Examiner: AKINTOLA, OLABODE
)
Filed: September 26, 2003) <u>SUPPLEMENTAL INFORMATION</u>
) <u>DISCLOSURE STATEMENT</u>
Atty. File No.: 4366-113)
) Electronically Submitted
For: "CONTACT CENTER RESOURCE)
ALLOCATION BASED ON WORK))
BIDDING/AUCTION")

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-SB08 are being called to the attention of the Examiner.

- ☒ Copies of the cited non-patent and/or foreign references are enclosed herewith.
- ☐ Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- ☒ Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).

☐ Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☒ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications:

Serial No. 10/946,638 filed 09/20/04;

Serial No. 11/069,739 filed 03/01/05; and

Serial No. 11/064,367 filed 02/22/05.

☐ Other: _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(e): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"><input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.

<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>
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Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

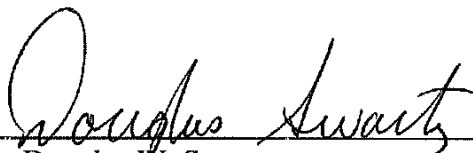
- ☐ The undersigned certifies that:
- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).
 - ☐ A copy of the communication from the foreign patent office is enclosed.

OR

- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 
Douglas W. Swartz
Registration No. 37,739
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: Dec. 14, 2006

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

Application Number	10/673,105
Filing Date	09-26-2003
First Named Inventor	Flockhart
Art Unit	3691
Examiner Name	AKINTOLA, OLABODE
Attorney Docket Number	4366-113

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	4,163,124	07/31/97	Jolissaint	
	2	4,389,400	06/21/83	Ho	
	3	4,567,323	01/28/86	Lottes et al.	
	4	4,737,983	04/12/93	Frauenthal et al.	
	5	4,797,911	01/10/89	Szlam et al.	
	6	4,894,857	01/16/90	Szlam et al.	
	7	5,001,710	03/19/91	Gawrys et al.	
	8	5,097,528	03/17/92	Gursahaney et al.	
	9	5,101,425	03/31/92	Darland	
	10	5,155,761	10/13/92	Hammond	
	11	5,164,983	11/17/92	Brown et al.	
	12	5,210,789	05/11/93	Jeffus et al.	
	13	5,274,700	12/28/93	Gechter et al.	
	14	5,278,898	01/11/94	Cambray et al.	
	15	5,291,550	03/01/94	Levy et al.	
	16	5,299,260	03/29/94	Shaio	
	17	5,309,513	05/03/94	Rose	
	18	5,335,268	8/2/1994	Kelly Jr. et al.	
	19	5,355,269	10/11/94	Clausen	
	20	5,390,243	02/14/95	Casselman et al.	
	21	5,436,965	07/25/95	Grossman et al.	
	22	5,444,774	08/06/96	Friedes	
	23	5,469,503	11/21/95	Butensky et al.	
	24	5,469,504	11/21/89	Blaha	
	25	5,473,773	12/5/1995	Aman et al.	
	26	5,479,497	12/26/95	Kovarik	
	27	5,500,795	03/19/96	Powers et al.	
	28	5,504,894	04/02/96	Ferguson et al.	
	29	5,506,898	04/09/96	Constantini et al.	
	30	5,530,744	06/25/96	Charalambous et al.	
	31	5,537,470	07/16/96	Lee	
	32	5,537,542	07/16/96	Eilert et al.	
	33	5,544,232	08/06/96	Baker et al.	
	34	5,546,452	08/13/96	Andrews et al.	

Examiner Signature		Date Considered	
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Examiner Name	AKINTOLA, OLABODE
Attorney Docket Number	4366-113

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35	5,592,378	01/07/97	Cameron et al.	
36	5,592,542	1/7/1997	Honda et al.	
37	5,594,726	01/14/97	Thompson et al.	
38	5,606,361	02/25/97	Davidsohn et al.	
39	5,611,076	3/11/1997	Durflinger et al.	
40	5,627,884	05/06/97	Williams et al.	
41	5,642,515	6/24/1997	Jones et al.	
42	5,684,874	11/4/1997	Flockhart et al.	
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44	5,689,698	11/18/97	Jones et al.	
45	5,703,943	12/30/97	Otto	
46	5,713,014	01/27/98	Durflinger et al.	
47	5,724,092	03/03/98	Davidsohn et al.	
48	5,742,675	04/21/98	Kilander et al.	
49	5,748,468	05/05/98	Notenboom et al.	
50	5,749,079	05/05/98	Yong et al.	
51	5,751,707	05/12/98	Voit et al.	
52	5,752,027	05/12/98	Familiar	
53	5,754,776	05/19/98	Hales, et al.	
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55	5,757,904	05/26/98	Anderson	
56	5,790,677	08/04/98	Fox et al.	
57	5,794,250	08/11/98	Carino, Jr. et al.	
58	5,796,393	08/18/98	MacNaughton et al.	
59	5,802,282	09/01/98	Hales et al.	
60	5,818,907	10/06/98	Maloney et al.	
61	5,838,968	11/17/98	Culbert	
62	5,839,117	11/17/98	Cameron et al.	
63	5,875,437	02/23/99	Atkins	
64	5,880,720	03/09/99	Iwafune et al.	
65	5,881,238	3/9/1999	Aman et al.	
66	5,884,032	03/16/99	Bateman et al.	
67	5,889,956	3/30/1999	Hauser et al.	
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69	5,903,641	05/11/99	Tonisson	
70	5,915,012	6/22/1999	Miloslavsky	
71	5,926,538	07/20/99	Deryugin et al.	
72	5,930,786	07/27/99	Carino, Jr. et al.	

Examiner
SignatureDate
Considered

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Filing Date	09-26-2003
First Named Inventor	Flockhart
Art Unit	3691
Examiner Name	AKINTOLA, OLABODE
Attorney Docket Number	4366-113

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73	5,937,051	08/10/99	Hurd et al.	
74	5,937,402	08/10/99	Pandilt	
75	5,940,496	08/17/99	Gisby et al.	
76	5,943,416	08/24/99	Gisby	
77	5,948,065	09/07/99	Eilert et al.	
78	5,960,073	09/28/99	Kikinis et al.	
79	5,963,635	10/05/99	Szlam et al.	
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83	5,974,462	10/26/99	Aman et al.	
84	5,987,117	11/16/1999	McNeil et al.	
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86	5,996,013	11/30/99	Delp et al.	
87	5,999,963	12/07/99	Bruno et al.	
88	6,000,832	12/14/99	Franklin et al.	
89	6,011,844	1/4/2000	Uppaluru et al.	
90	6,038,293	03/14/00	Mcnerney et al.	
91	6,044,144	3/28/2000	Becker et al.	
92	6,044,205	03/28/00	Reed et al.	
93	6,044,355	3/28/2000	Crockett et al.	
94	6,052,723	04/18/00	Ginn	
95	6,055,308	04/25/00	Miloslavsky et al.	
96	6,064,730	05/16/00	Ginsberg	
97	6,084,954	07/04/00	Harless et al.	
98	6,115,462	9/5/2000	Servi et al.	
99	6,151,571	11/21/00	Pertrushin	
100	6,154,769	11/28/00	Cherkasova et al.	
101	6,175,564	1/16/2001	Miloslavsky et al.	
102	6,178,441	01/23/01	Elnozahy	
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104	6,215,865	4/10/2001	McCalmont	
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106	6,229,819	05/08/01	Darland et al.	
107	6,230,183	05/08/01	Yocom et al.	
108	6,233,333	05/15/01	Dezonmo	
109	6,240,471	05/29/01	Eastwick	
110	6,259,969	07/10/01	Tackett et al.	

Examiner
SignatureDate
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Art Unit	3691
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Attorney Docket Number	4366-113

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111	6,263,359	07/17/01	Fong et al.	
112	6,272,544	08/07/01	Mullen	
113	6,275,806	08/14/01	Pertrushin	
114	6,275,812	08/14/01	Haq et al.	
115	6,275,991	08/14/01	Erlin	
116	6,278,777	08/21/01	Morley et al.	
117	6,292,550	09/18/01	Burritt	
118	6,353,810	03/05/02	Petrushin	
119	6,356,632	3/12/2002	Foster et al.	
120	6,389,028	05/14/02	Bondarenko et al.	
121	6,389,132	05/14/02	Price et al.	
122	6,389,400	05/14/02	Bushey et al.	
123	6,424,709	7/23/2002	Doyle et al.	
124	6,426,950	07/30/02	Mistry	
125	6,427,137	07/30/02	Petrushin	
126	6,430,282	08/06/02	Bannister et al.	
127	6,434,230	08/13/02	Gabriel	
128	6,449,356	09/10/02	Dezonno	
129	6,449,646	09/10/02	Sikora et al.	
130	6,463,148	10/08/02	Brady	
131	6,463,415	10/08/02	St. John	
132	6,480,826	11/12/02	Pertrushin	
133	6,490,350	12/3/2002	McDuff et al.	
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135	6,560,330	05/06/03	Gabriel	
136	6,560,649	05/06/03	Mullen et al.	
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138	6,597,685	07/22/03	Miloslavsky et al.	
139	6,650,748	11/18/2003	Edwards et al	
140	6,597,685	07/22/03	Miloslavsky et al	
141	6,704,409	03/09/04	Dilip et al.	
142	6,772,202	08/03/04	Wright	
143	7,035,808	04/25/06	Ford	
144	2001/0056349	12/27/2001	St. John	
145	2002/0002460	01/03/02	Pertrushin	
146	2002/0002464	01/30/02	Pertrushin	
147	2002/0010587	01/24/02	Pertrushin	
148	2002-0194002	12/19/02	Petrushin	

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO

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Filing Date	09-26-2003
First Named Inventor	Flockhart
Art Unit	3691
Examiner Name	AKINTOLA, OLABODE
Attorney Docket Number	4366-113

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	149	2005-0071241	03/31/05	Flockhart et al.	
	150	2006-0015388	01/19/06	Flockhart et al.	
	151	10/946,638		Flockhart et al.	
	152	11/069,739		Flockhart et al.	
	153	11/064,367		Flockhart et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ ; Number ⁴ ; Kind Code ⁵ (if known)				
	154	CA 214,3198	01/19/95	Telefonaktiebolaget LM Ericsson		
	155	CA 2174762	03/07/96	Motorola, Inc.		
	156	EP 0 501 189 A2	09/02/92	International Business Machines Corporation		
	157	EP 0 740 450 A2	10/30/96	IBM Corp.		
	158	EP 0 772 335 A2	05/07/97	Lucent Technologies Inc.		
	159	EP 0 863 651 A2	09/09/98	Lucent Technologies Inc.		
	160	EP 0 829 996 A2	03/18/98	AT&T Corp.		
	161	EP 0 855 826 A2	09/23/98	Lucent Techs. Inc.		
	162	EP 0 866 407 A1	09/23/98	AT&T Corp.		
	163	GB 2 290 192 A	12/13/1995	Siemens Rolm Communications Inc.		

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				First Named Inventor	Flockhart
				Art Unit	3691
				Examiner Name	AKINTOLA, OLABODE
Sheet	6	of	7	Attorney Docket Number	4366-113

	164	GB 2 273 418	6/15/1994	Rockwell International Corporation		
	165	WO 98/56207	12/10/1998	Telefonaktiebolaget LM Ericsson		
	166	WO 96/07141	3/7/1996	Motorola, Inc.		
	167	WO 01/80540 A1	10/25/01	Genesys Telecom. Labs., Inc.		
	168	WO 97/28635	08/07/97	Genesys Telecom. Lab.		

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)		
Examiner Initials*	Cite No. ¹	
	169	"Product Features," Guide to Call Center Automation, Brock Control Systems, Inc., Activity Managers Series™, Section 5 - Company B120, p. 59, 1992.
	170	"Product Features," Guide to Call Center Automation, CRC Information Systems, Inc., Tel-ATHENA, Section 5 - Company C520, p. 95, 1992.
	171	Dawson, "NPRI's Powerguide, Software Overview" Call Center Magazine (Jun. 1993), p. 85.
	172	"Applications, NPRI's Predictive Dialing Package," Computer Technology (Fall 1993), p. 86.
	173	"Call Center Software You Can't Outgrow," Telemarketing® (Jul. 1993), p. 105.
	174	"VAST™, Voicelink Application Software for Teleservicing®," System Manager User's Guide, Digital Systems (1994), pp. ii, vii-ix, 1-2, 2-41 through 2-77.
	175	GEOTEL Communications Corporation Web site printout entitled "Intelligent CallRouter" Optimizing the Interaction Between Customers and Answering Resources." 6 pages
	176	Examiner's Refusal Decision dated July 4th, 2005 in Japanese Patent App. No. 2000-34266
	177	Examiner's Refusal Decision for Japanese Patent Application No. 2000-34267 dated March 9, 2005 with translation, 4 pages.
	178	Avaya, Inc., "Better Implementation of IP in Large Networks," Avaya, Inc. 2002, 14 pages
	179	"eGain's Commerce 2000 Platform Sets New Standard for eCommerce Customer Communications," Business Wire (Nov. 15, 1999).
	180	"When Talk Isn't Cheap," Sm@rt Reseller, v. 3, n. 13 (Apr. 3, 2000), p. 50.
	181	Doo-Hyun Kim et al. "Collaborative Multimedia Middleware Architecture and Advanced Internet Call Center," Proceedings at the International Conference on Information Networking (Jan. 31, 2001), pp. 246-50.

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Sheet	7	of	7	Attorney Docket Number	4366-113

182	E. Noth et al., "Research Issues for the Next Generation Spoken," University of Erlangen-Nuremberg, Bavarian Research Centre for Knowledge-Based Systems, at http://www5.informatik.uni-erlangen.de/literature/psdir/1999/Noeth99:RIF.ps.gz , 8 pages.
183	John H.L. Hansen et al., "Foreign Accent Classification Using Source Generator Based Prosodic Features," Robust Speech Processing Laboratory, Duke University Department of Electrical Engineering, (undated), pp. 1-4.
184	L.F. Lamel and J.L. Gauvain, "Language Identification Using Phone-Based Acoustic Likelihoods," ICASSP-94, 4 pages.
185	Levent M. Arslan et al., "Language Accent Classification in American English," Robust Speech Processing Laboratory, Duke University Department of Electrical Engineering, Technical Report RSPL-96-7, revised 1/29/96, pp. 1-16.
186	Levent M. Arslan, "Foreign Accent Classification in American English," Dissertation submitted to Department of Electrical Computer Engineering, Graduate School of Duke University, (1996), pp. 1-201.
187	MIT Project Oxygen, "Pervasive, Human-Centered Computing - Oxygen," MIT Laboratory for Computer Science, (Jun. 2000), pp. 1-15.
188	Presentation by Victor Zue, "The MIT Oxygen Project," MIT Laboratory for Computer Science, Cambridge, MA (April 25-26, 2000), 9 pages.

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